

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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THELMA HIGUEROS, on behalf of herself
and as class representative of all those
similarly situated,

No. 07 Civ. 0418 (ADS)(ETB)

Plaintiff,

-against-

NEW YORK STATE CATHOLIC
HEALTH PLAN, INC.,
d/b/a FIDELIS CARE, INC.,

**STIPULATION OF
DISCONTINUANCE WITH
PREJUDICE AS TO
THELMA HIGUEROS' FOURTH
CLAIM FOR RELIEF**

Defendant.

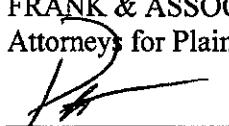
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IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned
counsel for the parties, that plaintiff Thelma Higueros' fourth claim for relief pursuant to New
York Labor Law § 215 is hereby discontinued with prejudice.

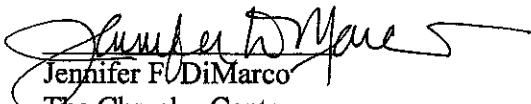
Dated: December 2, 2009
New York, New York

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FRANK & ASSOCIATES, P.C.
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SO ORDERED: